

#38 3/20/01
P. Sturback

Attorney Docket No. Q62017
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Claude COTREL, et al

Continuation of Appln. No.: 09/124,651

Group Art Unit: Not Yet Assigned

Filed: Concurrently Herewith

Examiner: Not Yet Assigned

For: OPTICALLY ACTIVE 5H-PYRROLO[3, 4-B]PYRAZINE DERIVATIVE, ITS
PREPARATION AND PHARMACEUTICAL COMPOSITIONS CONTAINING IT

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-identified application as follows:

IN THE CLAIMS:

Cancel claims 1-4.

Add the following new claims:

5. A method of making a dextrorotatory isomer of zopiclone, 6-(5-chloro-2-pyridyl)-5-[(4-methyl-1-piperazinyl)-carbonyloxy]-7-oxo-6,7-dihydro-5H-pyrrolo [3,4-b] pyrazine, and pharmaceutically acceptable salts thereof, comprising the steps of:

- a) forming a first reaction mixture by mixing a solution of an optically active acid in dichloromethane, to a solution of zopiclone in a first organic solvent;
- b) concentrating the reaction mixture to dryness under reduced pressure to form a dry salt;